

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUST FOR THE CERTIFICATE HOLDERS OF
THE MERRILL LYNCH MORTGAGE
INVESTORS, INC. MORTGAGE PASS-
THROUGH CERTIFICATES SERIES 1999-C1,
by and through ORIX Capital Markets, LLC, as
Master Servicer and Special Servicer,

Plaintiff,

v.

LOVE FUNDING CORPORATION,

Defendant.

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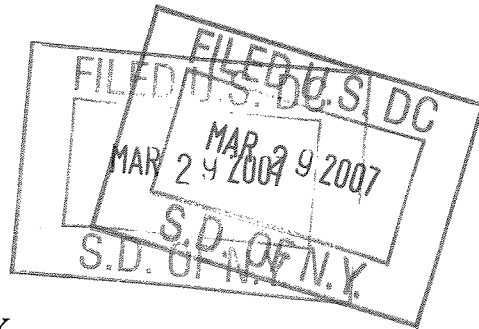
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Case No. 04 Civ. 9890 (SAS)
ECF Case



NOTICE OF CROSS APPEAL

PLEASE TAKE NOTICE that Defendant Love Funding Corporation hereby cross-appeals to the United States Court of Appeals for the Second Circuit from the judgment entered by this Court on February 27, 2007, insofar as it embodies or has merged into it the Court's October 7, 2005 Order and Opinion granting Plaintiff's Motion for Summary Judgment and denying Defendant's Cross-Motion for Summary Judgment and all rulings and orders embodied within that Order and Opinion, including but not limited to the ruling that Defendant's obligation to perform under Article V of Mortgage Loan Purchase Agreement was not excused fully by its assignor's material breach of contract and other actions.

Respectfully submitted,

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Dated: New York, New York
March 29, 2007

Counsel for Defendant
Love Funding Corporation